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December 26, 2001

Catherine M. Peck
Catherine M. Peck

December 26, 2001
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No: 09/981,206
Filed: October 17, 2001
Confirmation No.: 5790
Applicant: Achilefu et al.
Title: **CARBOCYANINE DYES FOR TANDEM, PHOTODIAGNOSTIC
AND THERAPEUTIC APPLICATIONS**
Art Unit: 1624
Examiner: Unknown
Att'y Dock: MRD-74

Cincinnati, Ohio 45202

December 26, 2001

Box SEQUENCE
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

RESPONSE TO NOTICE OF INCOMPLETE REPLY

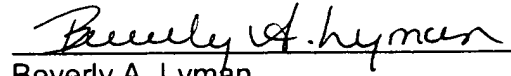
In response to your Notice of Incomplete Reply dated November 20, 2001 (copy attached), please find enclosed a corrected computer diskette, a corrected paper copy, our Statement Under 37 C.F.R. §1.821(f), and a copy of the Raw Sequence Listing Error Report.

No fee is believed indicated with this submission. However, should any fees be deemed necessary in conjunction with this request, the Examiner is

authorized to charge those fees or credit any overpayment to Deposit Account 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

A handwritten signature in cursive script, reading "Beverly A. Lyman", written over a horizontal line.

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/981,206	10/17/2001	Samuel Achilefu	MRD / 74

CONFIRMATION NO. 5790

FORMALITIES LETTER



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Date Mailed: 11/20/2001

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- o A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

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A copy of this notice MUST be returned with the reply.

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PART 2 - COPY TO BE RETURNED WITH RESPONSE